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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,026	12/21/2005	Rommer Stefan	P17753-US1	1372
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ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER CHAMBERS, TANGELA T	
			ART UNIT	PAPER NUMBER
			4141	
			MAIL DATE	DELIVERY MODE
			04/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/595,026

Applicant(s)

STEFAN, ROMMER

Examiner

TANGELA T. CHAMBERS

Art Unit

4141

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Individual Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date December 21, 2005 & January 3, 2007

DETAILED ACTION

1. This action is in response to the preliminary amendment filed on 12/21/2005.
2. Claims 1-8 have been amended.
3. Claims 1-8 are pending.

Priority

4. If applicant desires to claim the benefit of a prior-filed application under 35 U.S.C. 119(e), a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) must be included in the first sentence(s) of the specification following the title or in an application data sheet. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Information Disclosure Statement

5. The IDS' filed on December 21, 2005 and January 3, 2007 have been acknowledged by the examiner. The NPL reference, "WLAN Access Point IAPP Solution" was not considered as the webpage disclosed is no longer valid.

Drawings

6. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 59, 87, 109 and 131. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

8. **The disclosure is objected to because of the following informalities:**

In the Abstract, the referral elements (labels) of the drawings should be deleted.

Throughout the disclosure the word 'utilised' should be replaced with the following spelling – utilized –.

Throughout the disclosure the word 'authorisation' should be replaced with the following spelling – authorization –.

Page 1, lines 14-15 recites the word "enterprises" which appears to be a misspelling of the word "enterprise".

Page 1, line 33, recites the acronym "RADIUS". The first occurrence of the acronym should be spelled out with the acronym appearing in parenthesis.

Page 3, line 34 recites the word "a" which appears to be a misspelling of the word "an".

Page 5, line 16 recites "the subject matter of claim 9" and there is no claim 9 presented. The only method claim presented is claim 8.

Page 7, line 20 recites the IAPP move response messages as "111 and 113". The messages are labeled in Fig. 6 as "109 and 113".

Page 8, line 19 recites the word "Subsequently" which appears to be a misspelling of the word "Accordingly".

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Appropriate corrections are required.

Claim Objections

9. The claims are objected to because of the following informalities:

Claim 1 is objected to because it contains the acronyms "IAPP" and "AP". The first occurrence of the acronyms should be spelled out with the corresponding acronym appearing in parenthesis.

Claim 4 is objected to because it contains the acronym "IAPP ADD". The first occurrence of the acronym should be spelled out with the acronym appearing in parenthesis.

Claim 5 is objected to because it contains the acronym "IAPP". The first occurrence of the acronym should be spelled out with the acronym appearing in parenthesis.

Claim 6 is objected to because it recites the limitation "the access-controlling node" which is indefinite. The claim is indefinite because it is not stated whether the first access-controlling node or the second access-controlling node is issuing the message.

Claim 7 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in

content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 8 is objected to because it contains the acronym "WLAN". The first occurrence of the acronym should be spelled out with the acronym appearing in parenthesis.

Appropriate corrections are required.

Claim Rejections - 35 USC § 101

10. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-8 are rejected under 35 U.S.C. 101.

Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 1 is non-statutory because it does not produce a useful, concrete and tangible result, and is therefore not eligible for patent protection.

Claims 2-6 are dependant on claim 1, and are rejected under the same reason set forth in connection of the rejection of claim 1.

Claim 7 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 7 is non-statutory because it does not produce a useful, concrete and tangible result, and is therefore not eligible for patent protection.

Claim 8 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Although claim 8 is a method claim, it is non-statutory because it does not produce a useful, concrete and tangible result, and is therefore not eligible for patent protection.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luo (US Patent Publication No. 2003/0169713 A1), in view of Philsgard et al (US Patent Publication No. 2004/0248547 A1) and in further view of Funato et al (Funato) (US Patent Publication No. 2003/0145092 A1).

As per claim 1, Luo discloses:

- ***A network comprising at least one access point and one access controlling node the access points making use of the IAPP protocol for inter AP communication*** (Luo, Fig. 1, Page 3, Paragraphs [0019]-[0020], "The intra-subnet mobility is supported using IAPP.").
- ***wherein at least one station may associate with the access points whereby the identity of the station can be approved by the access controlling node,*** (Luo, Page 4, Paragraph [0028]).
- ***the access controlling node monitors whether a given station is having access to any of a given subset of access points*** (Luo, Page 3, Paragraph [0022] and Page 4, Paragraph [0029], "The mobile state transfer protocol is used for an access point to download the state record from the centralized database 108 for a mobile host 106 that arrives at the access point 102.").

Luo does not specifically disclose:

- ***the access controlling node monitors an account relating to the given station being associated with a given access point of the subset of access points***
However, Philsgard in an analogous art discloses the above limitation. (Philsgard, Page 1, Paragraph [0027], Page 3, Paragraphs [0060]-[0061] and Page 4, Paragraphs [0076]-[0079], "In the event of a positive response to an authentication request, information regarding the end user's unique product profile associated with the end user's account will be retrieved from the storage structure comprised in the SCS.").

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Philsgard into the network of Luo to monitor an account relating to a station. The modification would be obvious because one of ordinary skill in the art would want to determine which stations have a valid account and disable stations which have invalid accounts. (Philsgard, Page 4, Paragraph [0077] and Pages 4-5, Paragraph [0083]).

- ***if detecting that the account relating to the given station is zero or if the user of the station has been idle for a given length of time, the at least one access-controlling node issues at least one IAPP message causing the AP of the subset with which the station is currently associated to disassociate the given station, and thereby terminating access for the given station.*** However, Funato in an analogous art discloses the above limitation. (Funato, Page 3, Paragraph [0024] and Page 10, Paragraph [0092], "The new access point group will discover that the computing device has left its range without explicitly disassociating when the new access point group does not receive a communication from the computing device within a predetermined time period. At this time, the computing device will be disassociated.").

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Funato into the network of Luo and Philsgard to have a way to terminate the access of a station. The modification would be obvious because one of ordinary skill in the art would want a way to allow the

station to disassociate from the access point as well as provide a way for the access point to terminate a station's association as needed. (Funato, Page 10, Paragraph [0092]).

As per claim 2, the rejection of claim 1 is incorporated and Luo further discloses:

- ***wherein a first access-controlling node is an authentication server connected to the Internet.*** (Luo, Fig. 1 and Page 3, Paragraph [0020]).

As per claim 3, the rejection of claim 2 is incorporated and Luo further discloses:

- ***wherein a second access control node is provided, the second access control node being a gateway node*** (Luo, Page 5, Paragraph [0035]).

As per claim 4, the rejection of claim 2 is incorporated and further Funato discloses:

- ***wherein the access-controlling node issues an IAPP ADD notify message.***

However, Funato in an analogous art discloses the above limitation. (Funato, Page 10, Paragraph [0091], "The root access point of the new access point group will then communicate the MAC address and AID of the computing device to the other access points in the new access point group. This communication occurs during association and thru the use of IAPP to broadcast the IAPP-ADD.request (which includes the MAC address and AID of the computing device) over the local subnet broadcast using IAPP to all the access points on the same subnet.").

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Funato into the network of Luo and Philsgard to issue an IAPP ADD notify message. The modification would be obvious because one of ordinary skill in the art would want a way to locate a station by associating the device with an access point as needed or whenever it is paged. (Funato, Page 10, Paragraph [0091]).

Claim 7 is rejected under the same reasons set forth in connection of the rejection of claim 1.

Claim 8 is rejected under the same reasons set forth in connection of the rejection of claim 1 and further Funato discloses:

- ***A method of terminating access for a WLAN station:*** (Funato, Abstract and Page 10, Paragraph [0092]), Funato teaches a method of terminating access for a WLAN device.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Funato into the method of Luo and Philsgard to have a way to terminate the access of a WLAN station. The modification would be obvious because one of ordinary skill in the art would want a way to allow the station to allow the station to disassociate from the access point as well as provide a way for the access point to terminate a station's association as needed. (Funato, Page 10, Paragraph [0092]).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luo (US Patent Publication No. 2003/0169713 A1), in view of Philsgard et al (US Patent Publication No. 2004/0248547 A1), in view of Funato et al (Funato) (US Patent Publication No. 2003/0145092 A1) and in further view of Sanda (US Patent Publication No. 2006/0013174 A1).

As per claim 5, the rejection of claim 2 is incorporated; however neither Luo, Philsgard nor Funato disclose:

- ***wherein the access-controlling node issues an IAPP move notify message.*** However, Sanda in an analogous art discloses the above limitation. (Sanda, Page 6, Paragraphs [0072]-[0075], "In STEP 407, the APME section 302a of the AP 302 transmits IAPP-MOVE.request which is a primitive indicating a request for execution of IAPP-MOVE to an IAPP section 302c. Receiving this primitive, the IAPP section 302c

transmits IAPP-MOVE.notify which is a signal indicating a request for data about the MN 100 which did handover to the subnetwork 300 to the IAPP section 202c of the AP 202 in STEP 408.").

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sanda into the network of Luo, Philsgard and Funato to issue an IAPP move notify message. The modification would be obvious because one of ordinary skill in the art would want a way for the station to move from one access point to another while maintaining wireless communication. (Sanda, Page 5, Paragraph [0069]).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luo (US Patent Publication No. 2003/0169713 A1), in view of Philsgard et al (US Patent Publication No. 2004/0248547 A1), in view of Funato et al (Funato) (US Patent Publication No. 2003/0145092 A1) and in further view of Prasad et al (Prasad) (US Patent No. 7,197,125 B1).

As per claim 6, the rejection of claim 3 is incorporated; however neither Luo, Philsgard nor Funato disclose:

- ***wherein the access-controlling node issues a Lock out request to the gateway node.*** However, Prasad in an analogous art discloses the above limitation. (Prasad, Column 10, Lines 44-58, "The authentication server performs the authentication and returns either an ACCESS ACCEPT (if authentication succeeds) or an ACCESS REJECT (if the authentication fails). If the authentication fails then the service selection gateway sends an appropriate error message to the client and the processing stops."), Prasad teaches the authentication server sending a lock out (reject) message to the gateway node.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Prasad into the network of Luo,

Philsgard and Funato to issue a lock out request to the gateway node. The modification would be obvious because one of ordinary skill in the art would want to prevent unauthorized users from gaining access to the network. (Prasad, Abstract).

Conclusion

12. The prior art not relied upon but considered pertinent to applicant's disclosure is made of record and listed on form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TANGELA T. CHAMBERS whose telephone number is 571-270-3168. The examiner can normally be reached Monday through Thursday, 8:30am-6pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das, can be reached at 571-270-1392. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tangela T. Chambers
Patent Examiner
Art Unit 4141
March 26, 2008

Art Unit: 4141

/CHAMELI C. DAS/

Supervisory Patent Examiner, Art Unit 4141